

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

LA'John Devarus Gaither,)	C/A No.: 1:23-1872-DCN-SVH
)	
Plaintiff,)	
)	
vs.)	
)	
Nurse Allane Roach and Nurse)	ORDER
Sonya Paz,)	
)	
Defendants.)	
)	

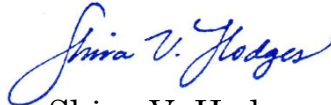
Plaintiff filed this case on May 4, 2023, alleging violations of his constitutional rights. On November 3, 2023, Defendants filed a motion for summary judgment. [ECF No. 24]. As Plaintiff is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of the motion and of the need for him to file an adequate response by December 4, 2023. [ECF No. 25]. Plaintiff was specifically advised that if he failed to respond adequately, the motion may be granted.

Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order, Plaintiff failed to respond to Defendants' motion. As such, it appears to the court that he does not oppose the motion and wishes to abandon this case. Based on the foregoing, Plaintiff is directed to advise the court whether he wishes to continue with this case and to file a response to the

motion by December 26, 2023. Plaintiff is further advised that if he fails to respond, the undersigned will recommend this case be dismissed for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

December 11, 2023
Columbia, South Carolina



Shiva V. Hodges
United States Magistrate Judge